

Remarks:

Applicant has carefully studied the non-final Examiner's Action mailed 03/24/05, having a shortened statutory period for response that expired 06/24/05, and an extended statutory period for response set to expire 07/24/05, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action.

Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings and numbered paragraphs that correspond to the centered headings and paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

Claim Rejections – 35 U.S.C. § 102

1. Applicant acknowledges the quotation of 35 U.S.C. § 102(b).
2. Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Nakagawa et al. Reconsideration and withdrawal of this ground of rejection is requested because claim 1, as currently amended, includes the allowable subject matter of claim 2 (cancelled).

Claim Rejections – 35 USC § 103

3. Applicant acknowledges the quotation of 35 U.S.C. § 103(a).

Allowable Subject Matter

4. Claims 2-5 stand objected to as depending from a rejected base claim, and as being in condition for allowance if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 1 as amended includes the limitations of the base claim (claim 1), as well as the limitations of claim 2 and is therefore now in condition for allowance.

5. Applicant acknowledges the statement of reasons for the indication of the allowable subject matter.

Conclusion

6. Applicant agrees that the art made of record and not relied upon is not more pertinent to the claimed invention than the art cited.

If a notice of allowance cannot be entered for any reason, a telephone call to the undersigned at (727) 507-8558 is requested. Applicant thanks the Office for its careful examination of this important patent application.

Very respectfully,

SMITH & HOPEN

Dated: June 27, 2005

By: 

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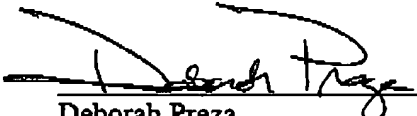
pc: Mr. Todd C. Werner

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Claims and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3653, Attn: Mr. Kenneth W. Bower, (703) 872-9306 on June 27, 2005.

Dated: June 27, 2005


Deborah Preza